

Message Text

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ACTION EUR-12

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FM AMEMBASSY THE HAGUE

TO SECSTATE WASHDC 6844

INFO AMCONSUL AMSTERDAM

AMCONSUL ROTTERDAM

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E.O. 11652: N/A

TAGS: OGEN

SUBJECT: HARASSMENT OF AMCONGEN AMSTERDAM: RESPONSIBILITIES OF GON

1. THERE HAS BEEN SPORADIC BUT INTENSIVE HARASSMENT OF AMCONGEN AMSTERDAM AND OF SEVERAL CONSULAR OFFICERS BY A DUTCH NATIONAL, DIRK CORNELIS DE BRUIN. HIS ACTIONS AROSE OUT OF REFUSAL OF HIS REQUEST FOR VISITORS VISA AND HAVE CONSISTED OVER PAST FEW WEEKS MOSTLY OF INTERMITTENT BUT INTENSIVE SERIES OF NUISANCE PHONE CALLS BOTH TO AMCONGEN AND TO CONGEN OFFICERS AT HOME AT ALL HOURS OF DAY AND NIGHT. EFFECT HAS BEEN TO TIE UP PHONES (IN ONE DAY DE BRUIN CALLED CONGEN OVER 300 TIMES) AND TO SEVERELY BOTHER OFFICERS AT NIGHT AS WELL. DE BRUIN HAS ALSO INTIMATED FURTHER ACTIONS AND HARASSED VISA OFFICER BY RINGING DOORBELL.

2. WE HAVE HAD EXTENSIVE CONTACT WITH LOCAL AMSTERDAM AUTHORITIES AND WITH MFA IN EFFORT TO RESTRAIN DE BRUIN AND PUT A STOP TO THESE ACTIVITIES. DUTCH AUTHORITIES, HOWEVER, WHILE SYMPATHETIC TO OUR COMPLAINTS HAVE NOT DONE MUCH AND HAVE TOLD US THERE IS NO PROVISION OF CRIMINAL CODE WHICH APPLIES. (THEY HAVE TALKED ABOUT MEASURES DENYING DE BRUIN ACCESS TO TELEPHONES, BUT THIS HAS NOT PROVED PRACTICABLE.) THEY HAVE SUGGESTED WE SEEK CIVIL INJUNCTION. WE HAVE COUNTERED THAT, IN LINE WITH PROVISIONS OF VIENNA CONVENTION

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ON CONSULAR RELATIONS (OF WHICH NETHERLANDS NOT A PARTY) AND

BILATERAL 1855 CONSULAR CONVENTION, GON SHOULD SEE TO IT WE CAN CARRY OUT OUR FUNCTIONS AND THAT IT WOULD BE INAPPROPRIATE FOR US TO GO TO COURT TO ASK CIVIL INJUNCTION. WE HAVE POINTED OUT THAT DE BRUIN'S ACTIONS IMPEDE US FROM CARRYING OUT OUR NORMAL FUNCTIONS AND THAT WE EXPECT GON TO TAKE EFFECTIVE ACTION TO PERMIT FOREIGN CONSULAR ESTABLISHMENT AND ITS OFFICERS TO CARRY OUT ITS OFFICIAL FUNCTIONS WITHOUT THIS SORT OF HARASSMENT.

3. DE BRUIN, WHO IS KNOWN AS SLIGHTLY UNBALANCED AND HAS LONG RECORD OF NUISANCE ACTIONS, HAS NOT BEEN HEARD FROM LAST FEW DAYS AND ISSUE MAY THEREFORE BECOME MOOT. SHOULD HE RECOMMENCE HIS HARASSMENT, HOWEVER, IT WILL BE NECESSARY TO APPROACH MFA AGAIN. REQUEST GUIDANCE ON LINE WE SHOULD TAKE, IN PARTICULAR LEGAL BASIS FOR HOLDING GON RESPONSIBLE, AND APPROPRIATE METHOD OF DORING SO (E.G. THROUGH MFA, CIVIL INJUNCTION OR OTHER).
GOULD

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